

12-71 ARIZONA V. INTER TRIBAL COUNCIL

DECISION BELOW: 677 F.3d 383

LOWER COURT CASE NUMBER: 08-17094, 08-17115

QUESTION PRESENTED:

Did the court of appeals err 1) in creating a new, heightened preemption test under Article I, Section 4, Clause 1 of the U.S. Constitution ("the Elections Clause") that is contrary to this Court's authority and conflicts with other circuit court decisions, and 2) in holding that under that test the National Voter Registration Act preempts an Arizona law that requests persons who are registering to vote to show evidence that they are eligible to vote?

CERT. GRANTED 10/15/2012